



COMMONWEALTH OF MASSACHUSETTS  
**Board of Registration  
of  
Hazardous Waste Site Cleanup Professionals**

**MINUTES  
of  
BOARD MEETING**

Held on  
**November 29, 2007**

Meeting Location: Department of Environmental Protection  
Central Regional Office  
627 Main Street  
Worcester, Mass.

Prepared by: A. Fierce

[Approved: January 9, 2008]

1. **Call to Order:** Chairperson Janine Commerford called the meeting to order at 2:10 p.m. The other Board members present were Gail Batchelder, Kirk Franklin, Christophe Henry, Gretchen Latowsky, Paul Mullen, and Debbie Phillips. Board members Deborah Farnsworth, Robert Luhrs, Kelley Race, and Debra Stake were absent. The LSP Board staff members present were Allan Fierce, Ron Viola, Terry Wood, Lynn Read, Brian Quinlan, and Al Wyman. Also present were Wes Stimpson, the Executive Director of the LSP Association, and Kevin Sweeney, the Board's exam consultant.
2. **Announcements:** Mr. Fierce introduced Dr. Kevin Sweeney, the psychometrician retained by the Board to assist in designing and conducting the Cut-Score Workshop for the Board's revised, updated exams.
3. **Agenda:** The Board members agreed to modify the Agenda and move "Examinations" up to the next item. This would allow Dr. Sweeney to give his report and leave without waiting for the Board to conclude other business.
4. **Examinations:**
  - A. **Report from Dr. Sweeney on Cut-Score Workshop.** Dr. Kevin Sweeney presented an oral report on the Cut-Score Workshop, which is a standard psychometric technique used to establish passing scores for many types of professional licensure and educational exams. The Workshop took place on August 6 and 7, 2007, at Weston & Sampson in Peabody. Participants included experienced LSPs, new LSPs, LSP Board members, and

senior staff from MassDEP. Dr. Sweeney said that this is the kind of mix of participants that he recommends be present at such events. Dr. Sweeney explained the process by which the participants rated each of the revised questions to obtain a numerical rating for each one. This rating is sometimes called an “Angoff” rating, for the psychometrician who originally created this methodology. The criterion used as a reference throughout the Workshop was an individual who just met but did not exceed each of the Board’s eligibility requirements for taking the exam. The combined total of the Angoff ratings for each of the 160 questions on each exam is used to establish the passing score for each version of the exam. At the conclusion of his presentation, Dr. Sweeney answered a number of questions posed by Board members. Mr. Fierce then asked whether the methodology the Board had followed met all current psychometric standards for establishing passing scores for professional licensing exams and was legally defensible in the event it were ever to be challenged. Dr. Sweeney answered this question affirmatively.

**B. Establishing Passing Scores.** Mr. Fierce explained that adding up the Angoff ratings for each question on each version of the exam leads to a number that runs to one or two decimal points. He also explained that in terms of establishing how many correct answers an examinee needed to answer correctly on each exam in order to achieve a passing score, a whole number was needed, not one with decimal points. Dr. Sweeney explained that the Board could view each exam’s total Angoff score as the standard for licensure and, if it did, it could then reasonably conclude that a candidate needed to exceed that standard in order to “pass” the exam. Were the Board to agree with this logic, he said, then the Board should set the number of correct answers needed to pass each exam at the next highest whole number above the total Angoff score. **A motion was made and seconded to do this. It was approved unanimously.**

**C. Scaling the Exam Scores.** Dr. Sweeney explained the advantages of scaling the scoring of the exam, which is done on many standardized exams. The Board asked Dr. Sweeney a number of questions about this. At the conclusion of discussion, **a motion was made to scale the scoring of the exams based on a scale of 200 to 350, with 300 as the passing score. The motion was approved unanimously.**

[At this point, the Board thanked Dr. Sweeney for his work, and Dr. Sweeney left the meeting. At 2:51 p.m., the Chair suspended the meeting for a 20-minute break. At 3:13 p.m., she called the meeting back to order.]

**D. Final Approval to Administer Revised Exams.** Mr. Fierce stated that that the staff was now ready to begin administering the revised and updated exams but needed the Board’s authorizing vote to proceed. **A motion was made and seconded to authorize the staff to begin administering the revised, updated exams and to discontinue use of the earlier versions. The motion was approved unanimously.**

5. **Minutes:** The Board reviewed the draft minutes of the meeting of the Board held on October 31, 2007. **A motion was made and seconded to approve the minutes as drafted. The motion was approved unanimously.**
6. **Report from Quasi-Judicial Sessions – Final Disciplinary Actions Taken:** Ms. Commerford announced that there were no actions to report at this month's meeting.
7. **Decisions Regarding License Applicants:** The staff presented the following Application Docket:

**Docket No. 1:** The applicant's name, company name, application number, and Application Review Panel recommendation were read into the record:

			<u>ARP</u>	<u>REC.</u>
Kenneth J. Gendron	Tighe & Bond	#8815	202	A

Ms. Phillips was recused and left the room.

**A motion was made and seconded that the Board accept the recommendation from Application Review Panel #202, i.e., that the application submitted by Mr. Gendron be accepted and that he be found eligible to take an exam. The motion was approved unanimously.**

Ms. Phillips returned and rejoined the meeting.

8. **License Renewal Applications:** The staff presented the following License Renewal Docket:

<b>Renewal Docket #1</b>		
Renewal Date: Oct. 30, 2007		
Has requested and met all requirements for a 90-day extension.		
New Renewal Date: January 28, 2008		
1.	Donati, Robert	#5878

**A motion was made and seconded to grant a 90-day extension to the LSP on Renewal Docket #1. The motion was approved unanimously.**

9. **Other Licensing-Related Matters:**

**A. New Panel Assignments and Scheduling.** Mr. Quinlan sought and obtained volunteers for Application Review Panel #208 (Ms. Latowsky, Mr. Luhrs, and Mr. Mullen).

- B. Appeals Status Report.** Ms. Wood reported that there are no pending appeals regarding the Board's denial of a license application.
- C. Inactive Status Report.** The staff reported that no LSPs have been placed on Inactive Status since the previous meeting. Also, none of the seven LSPs on Inactive Status have resumed Active status since the previous meeting.
- D. Licenses Expired.** The staff reported that the licenses of the following LSPs had lapsed:
- Richard DeBenedictis (#8787) – License lapsed on 10/28/07 when he did not renew after receiving a 90-day extension.
  - Terrence McSweeney (#6728) -- License lapsed on 10/30/07 when he failed to renew or obtain 90-day extension.
- E. Total Number of Active LSPs.** Mr. Fierce reported that the total number of Active LSPs as of the date of this meeting was 561.

**10. Examinations [continued]:**

- A. New Licensees.** Mr. Fierce reported that there are no new licensees because the exam has not been administered since the previous meeting.
- B. Next LSP Exam.** The staff reported that the next exam is scheduled for Tuesday, December 18, 2007. The revised, updated versions of the exam will be used.

**11. Continuing Education Committee Report:**

- A. Course and Conference Approval Requests.** Mr. Henry reported that the Committee had met earlier in the day and had the following course recommendations to present to the full Board:

Sponsor: Environmental Professionals' Organization of Connecticut (EPOC)  
Course Title: Site Characterization Guidance Document  
Credits Requested: 4 Technical credits.  
Committee Recommendation: **Approve for credits requested.**

Sponsor: MassDEP  
Course Title: MCP Representativeness Evaluations & Data Usability Assessments  
Credits Requested: 8.0 DEP Course / Regulatory credits  
Committee Recommendation: **Approve for credits requested.**

Sponsor: Con-Test Analytical Laboratory  
Course Title: Vapor Intrusion: Sampling, Analytical Methods, and Quality Assurance

Credits Requested: 2 Technical credits

Committee Recommendation: **Approve for credits requested.**

**A motion was made and seconded to accept the Committee's recommendations. The motion was approved unanimously.**

**B. Other Business.** Mr. Henry reported no other committee business to the full Board.

12. **Professional Conduct Committee:** Since all the Board members present at this meeting were also present at the Professional Conduct Committee meeting held earlier in the day, the Board agreed to forego a Committee report.

13. **Personnel, Budget, and Fees:**

**A. Personnel Report.** Mr. Fierce had no new information to report.

**B. Budget.** Ms. Commerford said that she would ask Bill Harkins for an update on the preparations underway for submitting the FY-2009 budget request for the Board's staff and operations.

**C. Fees.** Mr. Fierce reported that Mr. Viola would be mailing the Annual Fee invoices to all LSPs in January.

14. **Status of Board Member Replacements by Governor:** Ms. Commerford reported that she has no news to report on this topic.

15. **Next Article for LSPA News:** The next deadline for the submission of articles is November 30, 2007. The staff intends to write about the informal guidance letter sent by the Board in response to Advisory Ruling Request No. 07-01. The next deadline for articles will be January 25, 2008.

16. **Scheduling of Next Meeting:** The Board agreed to hold its next meeting in the afternoon of Wednesday, January 9, 2008, at Weston & Sampson in Peabody. The following meeting will be on Thursday, February 7.

17. **Adjournment:** The meeting was adjourned at approximately 3:38 p.m.